

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

DONNA CURLING, et. al.,	)	
	)	
Plaintiffs,	)	
	)	CIVIL ACTION FILE
v.	)	
	)	NO: 1:17-cv-2989-AT
BRAD RAFFENSPERGER, et. al.,	)	
	)	
Defendants.	)	
	)	

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**STATE DEFENDANTS' MOTION FOR USE OF  
ELECTRONIC EQUIPMENT**

State Defendants respectfully move this Court for entry of an Order authorizing the use of electronic equipment during the upcoming hearing on Plaintiffs' Motions for Preliminary Injunction on July 25-26, 2019, including:

- One laptop computer with power cords;
- One or more extensions cords;
- One or more HDMI and/or Audio-Visual cords;
- One internet hot spot device;
- One projector and screen;
- One Direct Record Electronic Voting Machine ("DRE")

Such equipment will assist State Defendants in presenting necessary evidence during the hearing including, but not limited to, the testimony of State Defendants' expert Dr. Michael Shamos by video teleconference. As the Court is aware, Dr. Shamos is unavailable to appear before the Court in person due to a

previously-scheduled vacation with his grandchildren. He is available to testify by video teleconference on July 26, 2019. See Fed. R. Civ. P. 43(a) (where appropriate, “the court may permit testimony in open court by contemporaneous transmission from a different location.”); see also, e.g., Stewart v. M.D.F., Inc., 83 F.3d 247, 251 (8th Cir. 1996) (“[Fed. R. Civ. P. 43] invests the district court with considerable discretion to tailor the proceedings to the practical realities surrounding the particular motion.”).

State Defendants submit that good cause exists to grant this Motion and requests that this authorization extend through completion of the hearing, at the Court’s discretion. A proposed order is attached hereto as Exhibit A.

Submitted this 22<sup>nd</sup> day of July, 2019.

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**CERTIFICATE OF COMPLIANCE**

Pursuant to L.R. 7.1(D), the undersigned hereby certifies that the foregoing  
**STATE DEFENDANTS' MOTION FOR USE OF ELECTRONIC EQUIPMENT**  
has been prepared in Times New Roman, 14 pt., a font and type selection approved  
by the Court in L.R. 5.1(B).

/s/ Vincent R. Russo  
Vincent R. Russo  
GA Bar No. 242628

**CERTIFICATE OF SERVICE**

I hereby certify that I filed the foregoing **STATE DEFENDANTS'** **MOTION FOR USE OF ELECTRONIC EQUIPMENT** with the Clerk of Court using the CM/ECF system, which will automatically send counsel of record e-mail notification of such filing:

This 22<sup>nd</sup> day of July, 2019

*/s/ Vincent R. Russo*  
Vincent R. Russo